

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
RACHEL M. TERI, et al.,

Plaintiff(s),

-against-

OXFORD MANAGEMENT SERVICES, INC.,  
et al.,

Defendant(s).

-----X  
**WALL, Magistrate Judge:**

Before the court is a motion by defendant pro se Salvatore Spinelli (“Spinelli”) and defendant Salvatore Spinelli Law Office (the “Law Office”) to extend discovery so that they may receive responses to discovery demands and conduct depositions.<sup>1</sup> See Docket Entry (“DE”) [91]. Plaintiffs oppose the motion. See DE [92]. Before considering the substance of the motion, however, the matter of defendants’ legal representation must be addressed.

On March 23, 2010, counsel for both Spinelli and the Law Office was granted permission to withdraw and Spinelli, an attorney, was directed to electronically file notice of appearance for himself and the Law Office. It was not until he filed the current motion that the court was informed that Spinelli is not admitted to practice law in this court. As mentioned in the electronic order dated May 21, 2010, Spinelli cannot represent the Law Office unless he is admitted to practice in this district. Thus, the Law Office has two choices: Spinelli may apply for admission to this district and represent it, or it may retain its own counsel. If a properly admitted attorney has not entered a notice of appearance on behalf of the Law Office by **July 2, 2010**, the undersigned will recommend that its answer be stricken and that a default judgment be entered against it.

In the motion currently before the court, Spinelli seeks an extension of the May 26<sup>th</sup> discovery deadline. On May 12, 2010, Spinelli served requests for discovery on plaintiffs. These requests were untimely in the sense that the plaintiffs’ time to respond to the requests under the Federal Rules of Civil Procedure would run after the close of discovery. Plaintiffs refused to respond absent an order directing them to do so, and the instant motion was filed. Spinelli also wishes to take three depositions.

Defendant Spinelli’s motion is granted. Plaintiffs shall respond to the May 12<sup>th</sup> discovery demands by **June 25, 2010**. All other discovery shall be completed no later than **July 16, 2010**.

---

<sup>1</sup>The motion also requested relief regarding the timing of Mr. Spinelli’s deposition. That portion of the motion was granted by electronic order dated May 21, 2010.

Any party wishing to make a dispositive motion must take the first step in that process under Judge Hurley's rules no later than **July 30, 2010**. A pretrial conference will be held on **August 13, 2010 at 11:30 a.m.** in courtroom 820. A joint proposed pretrial order consistent with Judge Hurley's requirements must be electronically filed prior to the conference. The parties are advised that no further extensions of discovery will be granted.

Dated: Central Islip, New York  
June 8, 2010

**SO ORDERED:**

/s/William D. Wall  
WILLIAM D. WALL  
United States Magistrate Judge